

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

**ROBERT DILLOW,**

**Plaintiff,**

**v.**

**VIRGINIA POLYTECHNIC INSTITUTE  
AND STATE UNIVERSITY, et al.,**

**Defendants.**

)  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)

**Case No. 7:22cv280**

**NOTICE**

Defendants Virginia Polytechnic Institute and State University, Shara Pernermon, Steven Schuh, Katie Polidoro, Anthony Scott, and Frances Keene (collectively “Defendants”), by counsel, hereby notify the Court that the Court of Appeals of Virginia decided the case of English v. Quinn, No. 0420-22-3, on Tuesday, November 29, 2022, and ruled that the Supreme Court of Virginia’s Emergency Orders in response to the COVID-19 pandemic tolled all statutes of limitations from March 16, 2020, through July 19, 2020. A copy of the decision of the Court of Appeals of Virginia is enclosed as **Exhibit A**.

Respectfully submitted,

VIRGINIA POLYTECHNIC INSTITUTE AND  
STATE UNIVERSITY, SHARA PENERMON,  
STEVEN SCHUH, KATIE POLIDORO, ANTHONY  
SCOTT, and FRANCES KEENE

/s/

Katherine C. Londos (VSB #: 36848)  
Nathan H. Schnetzler (VSB #: 86437)  
FRITH ANDERSON + PEAKE, P.C.  
29 Franklin Road, SW  
P.O. Box 1240  
Roanoke, Virginia 24006-1240  
Phone: 540/772-4600  
Fax: 540/772-9167  
Email: klondos@faplawfirm.com  
nschnetzler@faplawfirm.com

Kay Heidbreder (VSB No.: 22288)  
University Legal Counsel and  
Senior Assistant Attorney General  
*heidbred@vt.edu*  
M. Hudson McClanahan (VSB No.: 46363)  
*hud3@vt.edu*  
Kristina J. Hartman (VSB No.: 92279)  
*kjhart06@vt.edu*  
Stephen F. Capaldo (VSB No.: 74045)  
*scapaldo@vt.edu*  
Associate University Legal Counsel and  
Assistant Attorney General  
University Legal Counsel (0121)  
Burruss Hall, Suite 236, Virginia Tech  
800 Drillfield Drive  
Blacksburg, VA 24060  
Phone: (540) 231-6293  
Fax: (540) 231-6474

*Counsel for Virginia Polytechnic Institute and  
State University, Shara Pernermon, Steven Schuh,  
Katie Polidoro, Anthony Scott, and Frances  
Keene*



**CERTIFICATE OF SERVICE**

I hereby certify that on November 30, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will automatically send notification of such filing to all counsel of record.

/s/ Nathan H. Schnetzler  
Of Counsel

